

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue of: Michael Reasoner
Reissue Serial No.: Herewith
Original Patent No.: 5,653,148
Issued: August 5, 1997
Original Application Serial No.: 08/573,561
Title: CONDUIT SHORTENING ADJUSTMENT
ASSEMBLY

REISSUE DECLARATION AND POWER OF ATTORNEY

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

As below-named inventor, I hereby declare: that my residence, post office address and citizenship is as stated near my name below; that I believe I am the original, first and sole inventor of the subject matter which is described and claimed in the above captioned United States patent application and any amendment thereto submitted herewith (if any); that I have reviewed and understand the contents of the specification of this application, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the original application, or in public use or on sale in the United States of America more than one year prior to the original application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve (12) months prior to this application; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Section 1.56(a); and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns except as follows: NONE.

Pursuant to 37 CFR § 1.175, Applicant declares the following.

THE ERROR:

Applicant's attorney made a mistake by the amendment "in tension" in Claim 1 when referring to the coil spring. In fact, the spring (22) of the preferred embodiment is in compression as set forth in line 1 of column 3. A mental error occurred because the spring urges the adjustment components (18, 20) together, not apart as in the prior art. However, the spring (22) is arranged to bias the components (18, 20) together while in compression. The spring would appear to be in tension (and could be in tension), but due to its arrangement it is in compression to urge the conduit components together. Accordingly, the insertion of "in tension" is clearly an error and inconsistent with the description of the preferred embodiment, albeit the components could be urged together by a spring in tension under the inventive concept.

The prior art does not require "in tension" as a distinguishing limitation because the other limitations added adequately distinguish over the prior art by reciting a "coil" spring to bias the components together to shorten the overall length.

This error arose without any deceptive intention on our part.

HOW THE ERROR WAS DISCOVERED:

The error was discovered in checking the claims against a competitor's product.

CORRECTING THE ERROR:

The Error will be corrected by canceling "in tension" in Claim 1.


The original patent is submitted with this application and is surrendered according to 37 CFR § 1.178.

We hereby appoint Raymond E. Scott, Registration No. 22,981; William H. Honaker, Registration No. 31,623; Robin W. Asher, Registration No. P41,590; Theodore W. Olds, Registration No. 33,080; Jeffrey A. Sadowski, Registration No. 29,005; John E. Carlson, Registration No. 37,794; Harold W. Milton, Jr., Registration No. 22,180; David J. Gaskey, Registration No. 37,139; Kerrie A. Laba, Registration No. P42,77; Randall L. Shoemaker, Registration No. P43,118; and Eric L. Doyle, Registration No. P42,496; as our attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. Please address all correspondence and telephone calls to:

Harold W. Milton, Jr.
HOWARD & HOWARD
1400 North Woodward Avenue, Suite 101
Bloomfield Hills, Michigan 48304-2856
(248) 645-1483

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 7-6-98


Michael Reasoner

Residence and
Post Office Address:

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Grand Blanc, Michigan 48439-1247

Citizenship:

United States

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Attorney Docket No.: 65,748=449

ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION
(37 C.F.R. § 3.73(b))

This is part of the application for a reissue patent filed herewith on the original patent identified as follows:

Name of Inventor(s): Michael Reasoner

Patent Number: 5,653,148

Date Patent Issued: August 5, 1997

Title of Invention: CONDUIT SHORTENING ADJUSTMENT ASSEMBLY

I am an officer of the assignee, Teleflex Incorporated, which owns one hundred percent (100%) of the right, title and interest in and to the above original patent. Title in the assignee is evidenced by the assignment recorded on August 12, 1995 at Reel 8080, Frame 0267.

On behalf and authorized by assignee, I assent to the accompanying application for reissue.

7/2/97
Date


Steven K. Chance, Vice President
Teleflex Incorporated

Attorney Docket No.: 65,748-449

**REISSUE APPLICATION BY ASSIGNEE, OFFER TO SURRENDER
(37 C.F.R. § 1.178)**

To the Assistant Commissioner for Patents:


The undersigned makes this statement as part of the accompanying reissue application for the reissue of Letters Patent Number 5,653,148 for an improvement in CONDUIT SHORTENING ADJUSTMENT ASSEMBLY granted on August 5, 1997 to Michael Reasoner and declares that it is now owner by assignment of the entire interest in said original patent and hereby offers to surrender said letters patent.

Statement By Assignee

Attached is a "STATEMENT UNDER 37 C.F.R. 3.73(b)," establishing the right of the assignee to take action in this reissue.

Date: 7/2/98

TELEFLEX INCORPORATED



Steven K. Chance, Vice President